

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2212

(Reference to House engrossed bill)

Strike everything after the enacting clause and insert:

"Section 1. Heading change

The article heading of title 15, chapter 12, article 2, Arizona Revised Statutes, is changed from "STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES" to "STATE BOARD FOR COMMUNITY COLLEGES".

Sec. 2. Title 15, chapter 12, article 2, Arizona Revised Statutes, is amended by adding sections 15-1421 and 15-1422, to read:

15-1421. Members; appointment; terms; vacancy

A. THE STATE BOARD FOR COMMUNITY COLLEGES IS ESTABLISHED CONSISTING OF THE FOLLOWING MEMBERS WHO ARE APPOINTED BY THE GOVERNOR PURSUANT TO SECTION 38-211:

1. THREE MEMBERS WHO EITHER ARE REPRESENTATIVES OF THE BUSINESS COMMUNITY OR ARE ENGAGED IN PRIVATE INDUSTRY. MEMBERS APPOINTED PURSUANT TO THIS PARAGRAPH SHALL SERVE STAGGERED SIX YEAR TERMS THAT BEGIN AND END ON THE THIRD MONDAY IN JANUARY.

2. FOUR MEMBERS OF THE GENERAL PUBLIC. MEMBERS APPOINTED PURSUANT TO THIS PARAGRAPH SHALL SERVE STAGGERED SIX YEAR TERMS THAT BEGIN AND END ON THE THIRD MONDAY IN JANUARY.

3. ONE MEMBER OF THE STATE BOARD OF EDUCATION, WHO SHALL SERVE A TWO YEAR TERM THAT BEGINS AND ENDS ON THE THIRD MONDAY IN JANUARY.

4. ONE MEMBER OF THE ARIZONA BOARD OF REGENTS, WHO SHALL SERVE A TWO YEAR TERM THAT BEGINS AND ENDS ON THE THIRD MONDAY IN JANUARY.

5. ONE CHIEF EXECUTIVE OFFICER OF A COMMUNITY COLLEGE, WHO SHALL SERVE A TWO YEAR TERM THAT BEGINS AND ENDS ON THE THIRD MONDAY IN JANUARY.

6. ONE MEMBER OF A GOVERNING BOARD OF A COMMUNITY COLLEGE DISTRICT, WHO SHALL SERVE A TWO YEAR TERM THAT BEGINS AND ENDS ON THE THIRD MONDAY IN JANUARY.

B. THE MEMBERS APPOINTED TO THE STATE BOARD FOR COMMUNITY COLLEGES SHALL REPRESENT THE BROAD INTERESTS OF THE CITIZENS OF THIS STATE.

1 C. AT LEAST TWO OF THE MEMBERS APPOINTED TO THE STATE BOARD FOR  
2 COMMUNITY COLLEGES SHALL RESIDE IN A COUNTY WITH A POPULATION OF LESS THAN  
3 EIGHT HUNDRED THOUSAND PERSONS.

4 D. NOTWITHSTANDING SECTION 38-291, THE OFFICE OF A MEMBER OF THE STATE  
5 BOARD FOR COMMUNITY COLLEGES WHO IS APPOINTED PURSUANT TO SUBSECTION A,  
6 PARAGRAPH 3 OR 4 OF THIS SECTION IS DEEMED VACANT IF THE PERSON CEASES TO BE  
7 A MEMBER OF THE STATE BOARD OF EDUCATION OR THE ARIZONA BOARD OF REGENTS.

8 E. ONE OF THE MEMBERS APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPH 5  
9 OR 6 SHALL BE FROM A COMMUNITY COLLEGE IN A COUNTY WITH A POPULATION OF LESS  
10 THAN EIGHT HUNDRED THOUSAND PERSONS AND THE OTHER MEMBER APPOINTED PURSUANT  
11 TO SUBSECTION A, PARAGRAPH 5 OR 6 SHALL BE FROM A COMMUNITY COLLEGE IN A  
12 COUNTY WITH A POPULATION OF AT LEAST EIGHT HUNDRED THOUSAND PERSONS.

13 15-1422. Powers and duties

14 A. THE STATE BOARD FOR COMMUNITY COLLEGES SHALL:

15 1. PROVIDE A STATEWIDE FOCUS ON THE ROLE AND MISSION OF THE COMMUNITY  
16 COLLEGE SYSTEM AS PART OF THE OVERALL EDUCATION SYSTEM OF THIS STATE.

17 2. RECOGNIZE THE IMPORTANCE OF COMMUNITY COLLEGE DISTRICTS BEING  
18 RESPONSIVE TO THE LOCAL COMMUNITY AND THE IMPORTANCE OF LOCAL CONTROL BY  
19 LOCALLY ELECTED GOVERNING BOARDS OF COMMUNITY COLLEGE DISTRICTS.

20 3. IN COLLABORATION WITH LOCAL COMMUNITY COLLEGE DISTRICTS, PROVIDE  
21 STATEWIDE PLANNING, COORDINATION AND ACCOUNTABILITY.

22 4. SUPPORT A SEAMLESS EDUCATION SYSTEM THAT PREPARES STUDENTS FOR  
23 COLLEGE AND THE WORKFORCE.

24 5. CONSULT AND COORDINATE WITH COMMUNITY COLLEGE DISTRICTS ON MATTERS  
25 BEFORE THE STATE BOARD FOR COMMUNITY COLLEGES THAT AFFECT COMMUNITY COLLEGE  
26 DISTRICTS, INCLUDING POWERS AND DUTIES DELEGATED TO THE STATE BOARD FOR  
27 COMMUNITY COLLEGES.

28 6. CONSULT AND COORDINATE WITH THE STATE BOARD OF EDUCATION AND THE  
29 ARIZONA BOARD OF REGENTS AS NECESSARY IN ACCOMPLISHING THE POWERS AND DUTIES  
30 OF THE STATE BOARD FOR COMMUNITY COLLEGES.

31 7. THROUGH A STATEWIDE PLANNING PROCESS, ESTABLISH BOTH:

1           (a) STATEWIDE GOALS FOR THE COMMUNITY COLLEGE SYSTEM IN THIS STATE,  
2 INCLUDING TRANSFER OF STUDENTS, WORKFORCE AND ECONOMIC DEVELOPMENT AND THE  
3 ROLE OF THE COMMUNITY COLLEGE SYSTEM IN THE OVERALL EDUCATION SYSTEM OF THIS  
4 STATE.

5           (b) ACCOUNTABILITY AND PERFORMANCE MEASURES RELATED TO THE ESTABLISHED  
6 STATEWIDE GOALS.

7           8. ESTABLISH POLICIES AND PROCEDURES FOR:

8           (a) ARTICULATION PROCEDURES THAT FACILITATE TRANSFER OF CREDITS TOWARD  
9 DEGREES AMONG COMMUNITY COLLEGES.

10          (b) DELIVERY OF PROGRAMS OR SPECIFIC COURSES, OR BOTH, OUTSIDE THE  
11 BOUNDARIES OF THE COMMUNITY COLLEGE DISTRICT.

12          (c) PROGRAM OFFERINGS THAT QUALIFY FOR CREDIT, INCLUDING DUAL  
13 ENROLLMENT AND CONCURRENT ENROLLMENT.

14          (d) IDENTIFYING WORKFORCE DEVELOPMENT TRAINING NEEDS THAT RECOGNIZE  
15 DIFFERENCES DUE TO PROGRAM AND LOCATION AND THAT ALLOW FOR LOCAL OR STATEWIDE  
16 WORKFORCE DEMANDS.

17          (e) UNIFORM DATA COLLECTION, REPORTING AND BUDGET FORMATS.

18          (f) SOUND AUDITING MECHANISMS AND INTERNAL CONTROLS OF THE FINANCES OF  
19 THE STATE BOARD FOR COMMUNITY COLLEGES AND OF COMMUNITY COLLEGE DISTRICTS  
20 THAT ARE CONSISTENT WITH THOSE USED BY THE AUDITOR GENERAL.

21          9. CONSULT AND COORDINATE WITH THE ARIZONA BOARD OF REGENTS TO DEVELOP  
22 ARTICULATION PROCEDURES AND COMMON COURSE NUMBERS THAT FACILITATE TRANSFER OF  
23 CREDITS TOWARD DEGREES BETWEEN COMMUNITY COLLEGES AND POSTSECONDARY  
24 INSTITUTIONS THAT AWARD FOUR-YEAR DEGREES.

25          10. ASSIST, AS NECESSARY, TO SUPPORT CURRICULA AND PROGRAMS IN  
26 KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH TWELVE TO ENSURE CAREER AND  
27 POSTSECONDARY EDUCATION READINESS.

28          11. REVIEW ESTIMATES OF FULL-TIME EQUIVALENT STUDENT COUNTS SUBMITTED  
29 BY COMMUNITY COLLEGE DISTRICTS.

30          12. COORDINATE STANDARDS FOR THE EXCHANGE OF DATA BETWEEN THE COMMUNITY  
31 COLLEGE DISTRICTS AND THE OVERALL EDUCATION SYSTEM OF THIS STATE.

1           13. MONITOR COMMUNITY COLLEGE DISTRICT COMPLIANCE WITH POLICIES AND  
2 PROCEDURES ADOPTED BY THE STATE BOARD FOR COMMUNITY COLLEGES.

3           14. ANNUALLY COORDINATE THE SUBMISSION OF LOCAL COMMUNITY COLLEGE  
4 DISTRICT BUDGET REQUESTS TO THE LEGISLATURE AND THE GOVERNOR.

5           15. ANNUALLY COORDINATE A JOINT CONFERENCE OF COMMUNITY COLLEGE  
6 DISTRICT GOVERNING BOARD MEMBERS AND MEMBERS OF THE STATE BOARD FOR COMMUNITY  
7 COLLEGES TO IDENTIFY STRATEGIC OPPORTUNITIES AND CHALLENGES.

8           16. PERIODICALLY CONDUCT ON-SITE VISITS OR STATE BOARD MEETINGS AT  
9 COMMUNITY COLLEGE DISTRICTS TO FAMILIARIZE STATE BOARD MEMBERS WITH DISTRICT  
10 PROGRAMS, FACILITIES AND SERVICE AREAS.

11           17. FOSTER COLLABORATION WITHIN THE OVERALL EDUCATION SYSTEM OF THIS  
12 STATE AND WITH THE PRIVATE SECTOR.

13           18. COORDINATE WITH THE STATE BOARD OF EDUCATION AND THE ARIZONA BOARD  
14 OF REGENTS FOR A LONGITUDINAL DATA SYSTEM TO ASSESS SYSTEMS OF ARTICULATION,  
15 ALIGNMENT AND STUDENT ACHIEVEMENT AND FOR ANY OTHER PURPOSES CONSISTENT WITH  
16 THIS PARAGRAPH.

17           19. SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE AND THE GOVERNOR ON THE  
18 IDENTIFICATION OF AND PROGRESS TOWARD STATEWIDE GOALS, USING ESTABLISHED  
19 ACCOUNTABILITY AND PERFORMANCE MEASURES. THE STATE BOARD FOR COMMUNITY  
20 COLLEGES SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND  
21 THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

22           20. SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE AND THE GOVERNOR ON  
23 INCOME AND EXPENDITURES BY THE STATE BOARD FOR COMMUNITY COLLEGES. THE STATE  
24 BOARD SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE  
25 DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

26           21. COORDINATE THE SUBMISSION OF COMMUNITY COLLEGE DISTRICT REPORTS AS  
27 REQUIRED BY LAW OR AS REQUESTED BY THE LEGISLATURE OR THE GOVERNOR.

28           22. REVIEW ANNUAL COMMUNITY COLLEGE DISTRICT FINANCIAL AUDIT REPORTS.

29           23. SUBMIT RECOMMENDATIONS TO THE LEGISLATURE AND THE GOVERNOR AS THE  
30 STATE BOARD FOR COMMUNITY COLLEGES DEEMS NECESSARY.

31           24. PERIODICALLY REVIEW AND UPDATE STATEWIDE GOALS AND ACCOUNTABILITY  
32 AND PERFORMANCE MEASURES FOR THE COMMUNITY COLLEGE SYSTEM IN THIS STATE.

1           25. PERIODICALLY REVIEW AND UPDATE POLICIES AND PROCEDURES ADOPTED BY  
2 THE STATE BOARD FOR COMMUNITY COLLEGES.

3           B. THE STATE BOARD FOR COMMUNITY COLLEGES MAY:

4           1. INITIATE AND SUPPORT BUDGET REQUESTS FOR STATE FUNDING FOR THE  
5 COMMUNITY COLLEGE SYSTEM IN THIS STATE THAT IS CONSISTENT WITH ESTABLISHED  
6 STATEWIDE GOALS. THE BUDGET REQUESTS FOR STATE FUNDING THAT ARE SPECIFIC TO A  
7 COMMUNITY COLLEGE DISTRICT SHALL BE PREPARED AND SUBMITTED IN COOPERATION  
8 WITH THE COMMUNITY COLLEGE DISTRICT.

9           2. IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE ARIZONA  
10 BOARD OF REGENTS, INITIATE AND SUPPORT BUDGET REQUESTS THAT PROMOTE STUDENT  
11 ACADEMIC ACHIEVEMENT AND SUCCESS THROUGHOUT THE ENTIRE EDUCATION SYSTEM IN  
12 THIS STATE.

13           3. INITIATE REPORTS AND POLICY STUDIES THAT ARE NECESSARY TO MONITOR  
14 AND MEASURE PROGRESS AND COMPLIANCE TOWARD STATEWIDE GOALS.

15           4. MAKE RECOMMENDATIONS TO A COMMUNITY COLLEGE DISTRICT ON NEW  
16 ACADEMIC, VOCATIONAL AND TECHNICAL PROGRAMS.

17           5. ESTABLISH A MECHANISM FOR STATEWIDE COORDINATION OF NEW OR  
18 SPECIALIZED PROGRAMS OF COMMUNITY COLLEGE DISTRICTS.

19           6. COMMENT ON THE LOCALLY ESTABLISHED PROCESS FOR THE SELECTION OF A  
20 COMMUNITY COLLEGE CHIEF EXECUTIVE OFFICER TO ENSURE THAT THERE IS COMMUNITY  
21 AND PUBLIC INVOLVEMENT AT A LEVEL THAT IS APPROPRIATE TO THE SIZE AND  
22 LOCATION OF THE COMMUNITY COLLEGE DISTRICT. THIS PARAGRAPH SHALL NOT BE  
23 CONSTRUED TO ALLOW THE STATE BOARD FOR COMMUNITY COLLEGES ANY AUTHORITY OVER  
24 OR APPROVAL OF THE ACTUAL SELECTION OF A COMMUNITY COLLEGE CHIEF EXECUTIVE  
25 OFFICER.

26           7. ADOPT RULES TO CARRY OUT THE PURPOSES OF THIS SECTION.

27           C. THE STATE BOARD FOR COMMUNITY COLLEGES SHALL APPOINT AN EXECUTIVE  
28 DIRECTOR WHO SHALL NOT BE A MEMBER OF THE STATE BOARD AND SHALL SELECT FROM  
29 ITS MEMBERSHIP A CHAIRPERSON, TREASURER AND ANY OTHER OFFICERS IT DEEMS  
30 NECESSARY. THE STATE BOARD SHALL HOLD AT LEAST FOUR MEETINGS ANNUALLY AND  
31 MAY HOLD SUCH SPECIAL MEETINGS AT THE CALL OF THE CHAIRPERSON AS MAY BE  
32 DEEMED NECESSARY OR ADVISABLE.

1           D. THE EXECUTIVE DIRECTOR OF THE STATE BOARD SHALL RECEIVE  
2           COMPENSATION AS DETERMINED PURSUANT TO SECTION 38-611. ALL MEMBERS OF THE  
3           STATE BOARD SHALL RECEIVE COMPENSATION AS DETERMINED PURSUANT TO SECTION  
4           38-611 FOR EACH DAY OF ATTENDANCE AT BOARD MEETINGS.

5           E. TITLE 38, CHAPTER 3, ARTICLE 6, RELATING TO EMPLOYMENT OF  
6           RELATIVES, AND TITLE 38, CHAPTER 3, ARTICLE 8, RELATING TO CONFLICT OF  
7           INTEREST, APPLY TO MEMBERS, OFFICERS AND EMPLOYEES OF THE STATE BOARD FOR  
8           COMMUNITY COLLEGES AND TO COMMUNITY COLLEGE DISTRICT GOVERNING BOARD MEMBERS,  
9           OFFICERS AND EMPLOYEES.

10           Sec. 3. Section 15-1444, Arizona Revised Statutes, is amended to read:  
11           15-1444. General powers of district governing boards

12           A. Except as otherwise provided, the district board shall:

13           1. Maintain each community college for a period of not less than eight  
14           months in each year and, if the funds of the district are sufficient,  
15           maintain each community college for a longer period.

16           2. Adopt policies in a public forum to offer programs that meet the  
17           educational needs of the population served by the community college.

18           3. Enforce the courses of study prescribed by the district board.

19           4. Visit each community college under its jurisdiction and examine  
20           carefully into its management, conditions and needs.

21           5. Exclude from each community college all books, publications or  
22           papers of a sectarian, partisan or denominational character intended for use  
23           as textbooks.

24           6. Appoint and employ a chancellor or chancellors, vice-chancellors, a  
25           president or presidents, vice-presidents, deans, professors, instructors,  
26           lecturers, fellows and such other officers and employees it deems  
27           necessary. The district board may enter into employment contracts with  
28           chancellors, vice-chancellors and presidents for a duration of more than one  
29           year but not more than five years.

30           7. Determine the salaries of persons it appoints and employs.

31           8. Remove any officer or employee if in its judgment the interests of  
32           education in this state require the removal.

1           9. Award degrees, certificates and diplomas upon the completion of  
2 courses and curriculum as it deems appropriate.

3           10. Appoint or employ, if it deems necessary, police officers who shall  
4 have the authority and power of peace officers. The police officers who have  
5 received a certificate from the Arizona peace officer standards and training  
6 board are eligible for membership in and benefits under either title 38,  
7 chapter 5, article 2 or the public safety personnel retirement system under  
8 title 38, chapter 5, article 4.

9           11. Determine the location within the district of a community college  
10 and purchase, receive, hold, make and take leases of, sell and convey real or  
11 personal property for the benefit of the community colleges under its  
12 jurisdiction.

13           12. Obtain insurance or be self-insured, or a combination of insurance  
14 and self-insurance, against loss, to the extent it is determined necessary on  
15 community college buildings of the district. The local district shall have  
16 an insurable interest in the buildings.

17           13. PROVIDE A COPY OF A CONTRACT OR AN INTERGOVERNMENTAL AGREEMENT,  
18 THAT IS SPECIFICALLY RELATED TO THE ACADEMIC FUNCTIONS OF THE INSTITUTIONS  
19 INVOLVED, BETWEEN COMMUNITY COLLEGE DISTRICTS OR BETWEEN COMMUNITY COLLEGE  
20 DISTRICTS AND K-12 INSTITUTIONS OR POSTSECONDARY INSTITUTIONS THAT AWARD  
21 FOUR-YEAR DEGREES TO THE STATE BOARD FOR COMMUNITY COLLEGES.

22           14. PROVIDE A COPY OF STRATEGIC PLANS TO THE STATE BOARD FOR COMMUNITY  
23 COLLEGES.

24           15. PROVIDE A COPY OF ACCREDITATION REPORTS TO THE STATE BOARD FOR  
25 COMMUNITY COLLEGES AS SUBMITTED TO REGIONAL OR NATIONAL ACCREDITING AGENCIES  
26 AND REPORTS GENERATED BY REGIONAL OR NATIONAL ACCREDITING AGENCIES THAT ARE  
27 SPECIFIC TO A COMMUNITY COLLEGE DISTRICT'S ACCREDITATION.

28           B. The district board may:

29           1. Administer trusts declared or created for the district and receive  
30 by gift or devise and hold in trust or otherwise property wheresoever  
31 located, and if not otherwise provided, dispose of the property for the  
32 benefit of the district.

1           2. Lease real property, as lessor or as lessee. If a district is the  
2           lessee, the lease may contain an option to purchase the property. The  
3           district board may adopt policies as are deemed necessary and may delegate in  
4           writing to the chancellor or president of the district, or their designees,  
5           all or any part of its authority to lease property under this paragraph. A  
6           district board shall not delegate the authority to execute a lease that  
7           exceeds one hundred thousand dollars per year. Any delegation by the  
8           district board pursuant to this paragraph may be rescinded in whole or in  
9           part at any time by the district board.

10          3. Sue and be sued.

11          4. Contract. The district board may adopt such policies as are deemed  
12          necessary and may delegate in writing to the chancellor or president of the  
13          district, or their designees, all or any part of its authority to contract  
14          under this paragraph. Any delegation of authority under this paragraph may  
15          be rescinded by the district board at any time in whole or in part.

16          5. Construct, remodel and repair buildings.

17          6. In conjunction with other districts, establish policies for  
18          procurement of goods and services.

19          7. Provide a plan or plans for employee benefits which may include  
20          optional retirement programs pursuant to section 15-1451, subsection A, which  
21          allow for participation in a cafeteria plan that meets the requirements of  
22          the United States internal revenue code of 1986.

23          8. Accept grants or donations of monies from the United States, or  
24          from any of its agencies, departments or officers, or from persons,  
25          corporations, foundations or associations. A district board shall deposit  
26          the monies into a specific fund or account and a district board shall  
27          administer the monies in accordance with the purpose of the grant or donation  
28          with specific policies or restrictions as described or stipulated in the  
29          grant or donation. In the case of personal property granted or donated to or  
30          for the benefit of a community college district, a district board shall  
31          immediately transfer possession and ownership of the property to the  
32          designated district.



1           9. Enter into intergovernmental agreements or contracts pursuant to  
2 section 11-952.01 for participation in programs offered by public agency  
3 pools or separately contract with a trustee or board of trustees that  
4 provides a common self-insurance program with pooled funds and risks pursuant  
5 to section 15-382, subsection B, paragraph 2. The district board is not  
6 required to engage in competitive procurement in order to make the decision  
7 to participate in these programs.

8           C. If a district acquires real or personal property, whether by  
9 purchase, exchange, condemnation, gift or otherwise, the district shall pay  
10 to the county treasurer any taxes on the property that were unpaid as of the  
11 date of acquisition, including penalties and interest. The lien for unpaid  
12 delinquent taxes, penalties and interest on property acquired by the  
13 district:

14           1. Is not abated, extinguished, discharged or merged in the title to  
15 the property.

16           2. Is enforceable in the same manner as other delinquent tax liens.

17           D. From and after December 31, 1988, in a district whose boundaries  
18 encompass a vehicle emissions control area as defined in section 49-541 the  
19 district board shall require all out of county and out of state students to  
20 sign an affidavit at the time of course registration that the student's  
21 vehicle meets the requirements of section 49-542. From and after December  
22 31, 1988, the district board on property under its jurisdiction within a  
23 vehicle emissions control area shall prohibit the parking of those vehicles  
24 which fail to comply with section 49-542.

25           E. A community college district and a joint technological education  
26 district governing board may enter into agreements for the provision of  
27 administrative, operational and educational services and facilities.

28           F. Each district may establish a program for the exchange of students  
29 between the community colleges under its jurisdiction and colleges and  
30 universities located in Sonora, Mexico. The program may provide for in-state  
31 tuition for Sonora students at the community colleges under ~~its~~ **THE**  
32 jurisdiction **OF THE DISTRICT** in exchange for similar tuition provisions for

1 Arizona students enrolled or seeking enrollment in Sonora colleges and  
2 universities. The community colleges may work in conjunction with the  
3 Arizona-Mexico commission in the governor's office to coordinate recruitment  
4 and admissions activities to provide for in-state tuition for up to fifty  
5 Sonora students at the community colleges under ~~its~~ THE jurisdiction OF THE  
6 DISTRICT in exchange for similar tuition provisions for up to fifty total  
7 Arizona students enrolled or seeking enrollment in Sonora colleges and  
8 universities.

9 G. Each district shall facilitate transfer articulation coordination  
10 pursuant to section 15-1824.

11 Sec. 4. Section 15-1621, Arizona Revised Statutes, is amended to read:  
12 15-1621. Members; appointment; terms; oath; immunity

13 A. The Arizona board of regents consists of ~~ten~~ ELEVEN appointive  
14 members, including two student members, and the governor and the  
15 superintendent of public instruction as ex officio members.

16 B. Appointive members, except the student members, shall be appointed  
17 by the governor pursuant to section 38-211. THE GOVERNOR SHALL APPOINT ONE  
18 MEMBER OF THE STATE BOARD FOR COMMUNITY COLLEGES TO SERVE ON THE ARIZONA  
19 BOARD OF REGENTS, WHO SHALL BE A VOTING MEMBER OF THE ARIZONA BOARD OF  
20 REGENTS BUT WHO SHALL NOT BE COUNTED FOR THE PURPOSES OF DETERMINING THE  
21 PRESENCE OF A QUORUM ON THE ARIZONA BOARD OF REGENTS. The term of each  
22 appointive member, except the student members, is eight years, to begin and  
23 end on the third Monday in January.

24 C. The governor shall appoint two student members to serve staggered  
25 terms. Each year the governor shall designate on a rotation basis a  
26 university under the jurisdiction of the Arizona board of regents to submit a  
27 list of nominees for the position of student member. The associated  
28 students' organization of the designated university, by majority vote of its  
29 governing body, shall select three nominees for student member. The governor  
30 shall consider the three nominees when making the appointment of the student  
31 member but may appoint any qualified student. Before adjournment of the  
32 regular session of the legislature, the governor shall submit to the senate

1 for consent of the senate the name of the nominee for student member whose  
2 term is to begin on July 1. A student nominated for a full term may not  
3 serve until confirmed by the senate. A student member must be a person who is  
4 legally domiciled in this state and attends a university under the  
5 jurisdiction of the Arizona board of regents on a full-time basis. In the  
6 first year of the term the student member may exercise all rights and  
7 privileges of a board member, except the right to vote. In the second year  
8 of the term the student member may exercise all rights and privileges of a  
9 board member, including the right to vote. The term of each student member  
10 is two years, beginning on July 1. The governor may remove the student  
11 members for cause. A student member who graduates with no more than seven  
12 months remaining in the second year of a term may serve the remainder of the  
13 term. A vacancy in the office of student member shall be filled as follows:

14 1. If a vacancy occurs during the first year of a student member's  
15 term, the office shall be filled for the unexpired term. A student member  
16 nominated by the governor to fill a vacancy pursuant to this paragraph may  
17 serve the balance of the term without being confirmed by the senate.

18 2. If a vacancy occurs during the second year of a student member's  
19 term, the remaining student member shall assume all rights and privileges of  
20 a board member, including the right to vote. A new student member shall be  
21 nominated to a two year term to begin on July 1 as provided in this  
22 subsection.

23 D. On expiration of the term in January 2008 of two members of the  
24 Arizona board of regents, the governor shall appoint two members who reside  
25 in a county with a population of less than eight hundred thousand persons  
26 pursuant to section 38-211. One member shall be selected from Apache,  
27 Coconino, Gila, Mohave, Navajo or Yavapai county and one member shall be  
28 selected from Cochise, Graham, Greenlee, La Paz, Pinal, Santa Cruz or Yuma  
29 county. Notwithstanding subsection B of this section, the initial term of  
30 one of the members appointed pursuant to this subsection shall be four years  
31 to begin and end on the third Monday in January. Thereafter, the governor  
32 shall appoint each member pursuant to this subsection for terms beginning on

1 the third Monday of January of the year of the expiration of the term and  
2 ending on the third Monday of January eight years thereafter. This  
3 subsection does not preclude the governor from appointing more than two  
4 members who reside in a county with a population of less than eight hundred  
5 thousand persons at one time to the Arizona board of regents. The governor  
6 shall make subsequent appointments to replace the terms of members pursuant  
7 to this subsection in the same manner.

8 E. Each appointive member of the board shall take the oath of office  
9 before entering upon the duties of the member's office.

10 F. Members of the board are immune from personal liability with  
11 respect to all acts done and actions taken in good faith within the scope of  
12 their authority during duly constituted regular and special meetings with  
13 approval of a majority of the board.

14 Sec. 5. Title 41, chapter 27, article 2, Arizona Revised Statutes, is  
15 amended by adding section 41-3018.01, to read:

16 41-3018.01. State board for community colleges; termination  
17 July 1, 2018

18 A. THE STATE BOARD FOR COMMUNITY COLLEGES TERMINATES ON JULY 1, 2018.

19 B. SECTIONS 15-1421 AND 15-1422 ARE REPEALED ON JANUARY 1, 2019.

20 Sec. 6. State board for community colleges; initial report

21 A. On or before December 15, 2008, the state board for community  
22 colleges shall submit a report to the legislature and the governor regarding:

23 1. Recommendations for reports, data collection and performance  
24 measures for monitoring progress toward statewide goals and compliance with  
25 the laws of this state and with the policies and procedures adopted by the  
26 state board for community colleges.

27 2. The policies established under the laws of this state before the  
28 effective date of this act that are delegated to the state board after the  
29 effective date of this act.

30 B. The state board for community colleges shall provide copies of the  
31 report prescribed in subsection A to the secretary of state and the director  
32 of the Arizona state library, archives and public records.

1           Sec. 7. Initial terms of members of the state board for  
2                           community colleges

3           A. Notwithstanding section 15-1421, Arizona Revised Statutes, as added  
4 by this act, the initial terms of the members of the state board for  
5 community colleges who are appointed pursuant to section 15-1421,  
6 subsection A, paragraphs 1 and 2, are:

- 7           1. Three terms ending on the third Monday in January, 2013.  
8           2. Three terms ending on the third Monday in January, 2015.  
9           3. One term ending on the third Monday in January, 2017.

10          B. Notwithstanding section 15-1421, Arizona Revised Statutes, as added  
11 by this act, the initial terms of the members of the state board for  
12 community colleges who are appointed pursuant to section 15-1421,  
13 subsection A, paragraphs 3 and 4, are:

- 14          1. One term ending on the third Monday in January, 2010.  
15          2. One term ending on the third Monday in January, 2011.

16          C. The governor shall make all subsequent appointments as prescribed  
17 by statute.

18          Sec. 8. Purpose

19          Pursuant to section 41-2955, subsection E, Arizona Revised Statutes,  
20 the legislature establishes the state board for community colleges as the  
21 entity for statewide issues pertaining to the community college system in  
22 this state."

23 Amend title to conform

TOM O'HALLERAN

4/7/08  
7:59 AM  
S: DW/jas